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5 **UNITED STATES DISTRICT COURT**
6 **DISTRICT OF NEVADA**
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8 RUSSELL LEE GARNER,

9 Petitioner,

10 vs.

11 STATE OF NEVADA, *et al.*,

12 Respondents.
13

Case No. 2:15-cv-00516-JAD-PAL

ORDER

14
15 Petitioner Russell Lee Garner has filed an application to proceed *in forma pauperis* and
16 submitted a petition for a writ of habeas corpus as well as a motion for appointment of counsel. Based
17 on the current information about petitioner's financial status, including any additional information he
18 may have provided, the court finds that he is able to pay the full fee pursuant to 28 U.S.C. § 1915.

19 **IT IS THEREFORE ORDERED** that petitioner's motion for leave to proceed *in forma*
20 *pauperis* without having to prepay the full filing fee (Doc. 1) is **DENIED**. Petitioner shall have **thirty**
21 **(30) days** from the date this order is **ENTERED** in which to have the \$5.00 filing fee sent to the Clerk.
22 Failure to do so may result in the dismissal of this action. The Clerk is directed to **RETAIN** the petition
23 but not file it at this time.

24 Dated: April 23, 2015.

25 
UNITED STATES DISTRICT JUDGE
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